

By: Biedermann

H.B. No. 3823

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing a vendor to provide certain consultation to
3 a state agency regarding the agency's purchase of goods and
4 services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 2155.004(a), Government Code, is amended
7 to read as follows:

8 (a) Except as provided by Section 2155.0041, a [A] state
9 agency may not accept a bid or award a contract that includes
10 proposed financial participation by a person who received
11 compensation from the agency to participate in preparing the
12 specifications or request for proposals on which the bid or
13 contract is based.

14 SECTION 2. Subchapter A, Chapter 2155, Government Code, is
15 amended by adding Section 2155.0041 to read as follows:

16 Sec. 2155.0041. AUTHORIZED CONSULTATION WITH CERTAIN
17 VENDORS. (a) A state agency may consult with an expert,
18 consultant, manufacturer, service provider, or public or private
19 research institution to determine trends in technology and markets,
20 to perform pilot and proof of concept projects, to perform testing
21 and evaluation, to develop solutions to potential threats and
22 problems, and to determine options for the procurement of goods or
23 services in the following areas:

24 (1) counterterrorism;

1 (2) border security;

2 (3) law enforcement officer safety; and

3 (4) emergency response.

4 (b) A person who consults with a state agency as authorized
5 by Subsection (a) is not prohibited from entering into a contract
6 with that state agency to provide a good or service that relates to
7 the consultation unless the consultation relates to a pending
8 request for proposal.

9 (c) A state agency may make a purchase relating to a topic
10 described by Subsection (a) under the procedures prescribed for an
11 emergency purchase by the agency under Section [2155.137](#), except
12 that the state agency is not required to prepare a letter of
13 justification for the emergency purchase as required by comptroller
14 rule.

15 SECTION 3. This Act takes effect September 1, 2017.